

as the diagnostic agent. Claims 1-9, 11, and 13-28 are generic with regard to this specie. Claims 10 and 29-30 are specific with regards to radioisotopes. Claim 10 is also specific to a non-elected specie, *i.e.*, a dye. Claim 12 is specific to non-elected species. Applicants reserve the right to have any and all dependent claims directed to the non-elected species examined in the present case if any of the above-mentioned generic claims or any other generic claims are found to be allowable.

As for the phospholipid, Applicants elect a phospholipid comprising DSPC for further prosecution in this case. Claims 1-4 and 6-30 are generic with regard to this specie. Claim 5 is specific with regards to DSPC. Claim 5 is also specific to a non-elected specie, *i.e.*, DPPC. Applicants reserve the right to have any and all dependent claims directed to the non-elected species examined in the present case if any of the above-mentioned generic claims or any other generic claims are found to be allowable.

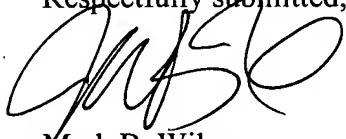
### **C. Conclusion**

Applicants believe that the present document is a full and complete response to the Species Election Requirement dated October 6, 2003. It is believed that no fee is due for filing this Response to the Species Election Requirement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, consider this paragraph such a request and authorization to withdraw the appropriate fee from Fulbright & Jaworski Deposit Account No. 50-1212/UTSK:343US.

In conclusion, Applicants submit that, in light of the foregoing remarks, the present case is in condition for further prosecution, and such favorable action is requested. The Examiner is invited to contact the undersigned Attorney at (512) 536-3035 with any questions, comments or suggestions relating to the referenced patent application.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



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